



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAR 15 2001

Ref. No. 00-0309

Mr. Bill McDonald
Vallen Technical Services
909 William Drive
San Lorenzo, CA 94580

Dear Mr. McDonald:

This is in response to your letter requesting clarification under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) pertaining to the pressure retest of DOT specification cylinders. Specifically, § 173.34(e)(4)(v) states: "In the case of a malfunction of the test equipment, the test may be repeated at a pressure increased by 10 percent or 100 psi, whichever is less." It is your understanding that only one repeat test is permitted.

Your understanding of this requirement is correct. Section 173.34(e)(4)(v) permits only one repeat test in the case of a malfunction of the test equipment.

With regards to your reference to the Compressed Gas Association (CGA) Pamphlet C-1, currently the HMR does not incorporate the pamphlet by reference. However, we proposed in a notice of proposed rulemaking to reference certain pressure test procedures contained in the CGA pamphlet. (Docket No. HM-98-3684 (HM-220); October 30, 1998).

I hope this information is helpful. Please contact this office if you need additional assistance.

Sincerely,

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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Beatts
& 173.34(e)(4)(v)
Retest
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11-3-00

Office of Hazardous Materials Standards
Director Edward Mazzullo DHM-10
400 7th Street, S.W.
Washington, DC 20590

Dear Mr. Mazzullo,

Can you please help my department with written clarification regarding the following?

CFR-49, 173.34(e)(4)(v) states that "In the case of a malfunction of the test equipment, the test may be repeated at a pressure increased by 10 percent or 100 psi, whichever is less."

I interpret this as ONE repeat test is permitted.

CGA, C-1, page 4, notes: #3 states that "If repeated, the cumulative increase shall be limited to no more than 10 percent of the minimum prescribed test pressure."

I interpret this to mean that a cylinder with a test pressure of 3700 psi may repeat a test at 3800 psi, again at 3900 psi, and again at 4000 psi without exceeding the cumulative limit of 370 psi thus repeating a test, if necessary, 3 times.

Which is correct?

Thanks for your assistance,



Bill McDonald
Vallen Technical Services
909 William Drive
San Lorenzo, Ca 94580